REMARKS

Rejection under 35 U.S.C. § 103

Claims 22–32 were rejected under 35 U.S.C. § 103(a) as being obvious over Broussard (U.S. Patent 6,317,776) in view of Clapp (U.S. Patent 6,654,825). Reconsideration and withdrawal of this rejection is requested in view of the following remarks, which focus on the independent claims.

Independent claim 22 is drawn to a system comprising a processor that converts videoconferencing data into a standard media format appropriate for computer systems. Independent claim 24 is drawn to a processor that converts videoconferencing data into a standard media format appropriate for computer systems. Independent claim 26 is drawn to a method of converting data into a standard media format appropriate for computer systems. Each of Applicant's claims requires that (1) data be received in a format suitable for real time processing and (2) that the data be converted into "a standard media format appropriate for computer systems." Thus, each claim requires "converting data into a standard media format appropriate for computer systems."

Examiner has conceded that Broussard does not teach or suggest converting received data into a standard media format. Various examples of formats suitable for standard computer systems are described in the specification and in the dependent claims. Examiner proposes Clapp to supply this missing limitation and cites Clapp at col. 10, ll. 11–19. However, review of the cited passage and the portions immediately before and after make clear that Clapp does not teach or suggest converting data into a standard media format for computer systems.

Clapp teaches that media data is transmitted using the ITU H.320 standard, using H.261 video compression and G.711, G.722, and/or G.728 audio compression. Clapp at col. 9, ll. 50-60. These are media formats suitable for real time transport. (Applicant's specification discusses H.263 video compression, which is a later video compression standard similar in some respects to H.261). These are not standard media formats for personal computers.

Clapp also teaches transmitting data files over the video conferencing channel by compressing the files, transmitting them over the channel, and then reconverting them at the receiving endpoint. This is the conversion to which Examiner refers, and is the exact opposite of that required by the claims. For example, claim 22 requires creating data in a format suitable for

real time transport and then converting the data into a standard media format. The other claims include similar limitations, such as receiving the data in a format suitable for real time transport and then converting to a standard media format. Conversely, Clapp teaches receiving a standard data file (which is not necessarily a file in a standard media format, as discussed below) and converting it (essentially compressing it) for transport over the videoconference channel. The videoconferencing system of Clapp does not create or receive the data file in a real time transport format, nor does it convert it into a standard media format.

Moreover, Clapp is not referring to media data, and thus the "standard data file" cannot be "data in a standard media format" as required by the claims. As noted above, Clapp clearly teaches that media data is in the H.320/H.261/G.7xx formats. These are not standard media formats for computer systems as that term is used by applicant. The standard data files referred to by Clapp appear to be files associated with "conferencing enhancement features including file transfer, screen sharing, document collaboration, and other data exchange features." Clapp at col. 10, ll. 29–33. These files are merely compressed for transmission and decompressed at the destination. None of these types of files would necessarily be in "a standard media format appropriate for computer systems," and Clapp contains no teaching or suggestion that that is the case.

Because the independent claims are patentable over the cited references, it is not necessary to address Examiner's official notice concerning claims 23, 25, and 27–32. However, Applicant contends that the elements of claims 23, 25, and 27–32 are not notoriously well known in the art (or even known in the art). Examiner is not merely "filling in the gaps" in an insubstantial manner, as is required when taking official notice, but rather is merely rejecting claims without evidentiary support. It is believed that the traversal of the rejection of the independent claims adequately traverses this rejection of the dependent claims. However, should Examiner find another basis of rejection for the independent claims or maintain the instant rejection, Applicant requests that Examiner provide the affidavit required by 37 CFR § 1.104(d)(2).

Reconsideration and withdrawal of the application is requested in view of the foregoing remarks, and, as the claims are believed to be allowable, a noticed of allowance is requested.

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Respectfully submitted,

July 11, 2006	**/Billy C. Allen III/**
Date	Billy C. Allen III
	Reg. No. 46,147

CUSTOMER NO. 29855

WONG, CABELLO, LUTSCH,
RUTHERFORD & BRUCCULERI, L.L.P..
20333 State Hwy 249, Suite 600
Houston, TX 77070

832/446-2400
832/446-2424 (facsimile)
832/446-2409 (direct)